

ORDINANCE NO. 060865

Declaring a moratorium until October 2, 2006, on the issuance of building/sign permits for the construction of certain outdoor advertising signs at locations that would not comply with the provisions of Ordinance No. 051402, as originally introduced and considered, and declaring an emergency.

WHEREAS, Ordinance No. 051402 would make certain changes to the requirements for the location of outdoor advertising signs (billboards); and

WHEREAS, public hearings have been held on the proposed changes to the zoning ordinance and all required notices have been given, and a recommendation was made on the proposed changes by the City Plan Commission on March 7, 2006; and

WHEREAS, the Council recognizes that outdoor advertising signs may have an adverse impact on the City's neighborhoods and the quality of life of our citizens if they are not properly located; and

WHEREAS, on March 22, 2006, the Planning, Zoning and Economic Development Committee asked the director of City Development to study the sign ordinance and meet with stakeholders and report back in forty-five days regarding suggested changes to the sign ordinance; and

WHEREAS, the Director met with interested persons concerning the outdoor signage regulations and reported his findings and recommendations to the Committee on May 3, 2006; and

WHEREAS, after receiving the Director's recommendations, the Committee determined that it would further study this issue for an additional ninety days to determine if certain changes should be made to the spacing and size requirements contained in Section 80-220(e)(2) and (e)(3); and

WHEREAS, while Ordinance No. 051402 was pending, there were a number of applications for new billboard permits; and

WHEREAS, the Council believes that it is imperative that no permits be issued for new signs or expansion of existing signs that would not be in compliance with the proposed changes while these changes to the sign ordinance are being considered; and

WHEREAS, the Council has decided to impose permanently a portion of the changes proposed in the introduced ordinance, as passed in Committee Substitute for Ordinance No. 051402, and impose temporarily, through the passage of Ordinance No. 060520 and this moratorium ordinance, the remaining portions of the introduced ordinance so that no new or expanded billboards can be permitted while the proposed changes are being further studied; and

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WHEREAS, because the existing moratorium expires on August 8, 2006, and because the Council believes that leaving a window in which sign permits could be issued before this moratorium takes effect could result in additional signs that do not meet the requirements of Ordinance No. 051402, as introduced, this ordinance constitutes an action necessary to for the immediate preservation of the public peace, property, health, safety or morals, and therefore is declared to be an emergency within the terms of Section 15(a)(2), City Charter; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Mayor and Council hereby declare that there is a moratorium on the issuance of new building/sign permits for new outdoor advertising signs or for the expansion of existing signs along City streets that would be in violation of the terms of Ordinance No. 051402, as introduced, until October 2, 2006, provided that: (1) this moratorium shall not apply to the issuance of building/sign permits for the repair, replacement or relocation of existing outdoor advertising signs that do not comply with original proposed Ordinance No. 051402 as long as the existing sign area is not enlarged and that any relocation occurs on the same property as the existing sign and (2) this moratorium shall not apply to installation of new outdoor advertising signs along interstate highways and limited access highways/trafficways as long as they comply with the existing regulations contained in Section 80-220, Code of Ordinances; and (3) this moratorium shall not apply to any sign which is less that 300 square feet in area and which advertises businesses in a commercial area which are within 500 feet of the sign.

Section 2. That this ordinance constitutes an action necessary for the immediate preservation of the public peace, property, health, safety or morals, and therefore constitutes an emergency within the terms of Section 15(a)(2), City Charter and will take effect immediately upon passage.

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Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney